

ORDINANCE NO. 2015-11

AN ORDINANCE CLOSING AN ALLEY  
IN THE CITY OF MALVERN, ARKANSAS

I HEREBY CERTIFY THAT THIS INSTRUMENT  
WAS FILED AND RECORDED ON 09/18/2015 10:15:49 AM  
MAYME BROWN, CIRCUIT CLERK  
HOT SPRING COUNTY, ARKANSAS

*M. O'Laughlin*

WHEREAS, a petition was duly filed with the Malvern City Council on the 13th day of July, 2015 asking the Council to vacate and abandon the alley running north and south between E. Page Avenue and Section Line in the City of Malvern located in the north 1/2 of block 92 of the Gravel Pit Addition; and

WHEREAS, after due notices as required by law, the Council has, at the time and place mentioned in the Notice, heard all persons desiring to be heard on the questions and has ascertained that the alley hereinabove described has heretofore been dedicated to the public use as an alley herein described; has not been actually used by the public generally for a period of at least five (5) years subsequent to the filing of the plat; that all owners of the property abutting upon the alley to be vacated have filed with the Council their written consent to such abandonment; and that the public interests and welfare will not be adversely affected by the abandonment of such alley.

NOW, THEREFORE, BE IT ORDAINED BY THE MALVERN CITY COUNCIL AS FOLLOWS:

Section 1. The City of Malvern, Arkansas, hereby releases, vacates and abandons all of its rights, together with the rights of the public generally, in and to the alley designated as follows:

Part of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Twenty-three (23), Township Four (4) South, Range Seventeen (17) West more particularly described as follows:

Starting at the Northwest corner of the Northwest Quarter of the Southwest Quarter of Section Twenty-three; thence South 88 degrees 35 minutes East along the North line thereof a distance of 667.7 feet to a point; thence South 00 degrees 51 minutes West a distance of 148.5 feet to a point on the Southerly right of way line of Third Street for the point of beginning: Thence continue South 00 degrees 51 minutes West a distance of 180 feet, more or less, to the Northeast corner of the Post Office property; thence West 40 feet; thence North 00 degrees 51 minutes East parallel with the East line 175 feet, more or less, to a point on the Southerly right of way line of Third Street; thence in a Northeasterly direction along the Southerly right of way line of Third Street 43 feet, more or less to the point of beginning. (Being a strip of land 40 feet wide across the East side of said tract.)

(Also described as part of Block 92, Lund and Hill Survey of the City of Malvern, Arkansas as shown by the recoded plat thereof.)

Section 2. A copy of the Ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of the County and recorded in the Deed Records of the County.

Section 3. This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

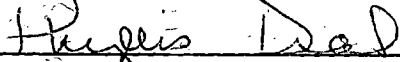
Passed this 14th day of September, 2015.

Approved:



Brenda J. Weldon, Mayor

ATTEST:



Phyllis Dial, City Clerk/Treasurer